

SAN RAFAEL SWELL STATE PARK DESIGNATION

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: _____

LONG TITLE

General Description:

This bill deals with the creation of the San Rafael Swell State Park.

Highlighted Provisions:

This bill:

▶ authorizes the Division of Parks and Recreation to enter into agreements with the United States Bureau of Land Management and the School and Institutional Trust Lands Administration to use the San Rafael Swell as a state park; and

▶ states that the San Rafael Swell shall be considered part of the state parks system once the Division of Parks and Recreation has entered into the agreements described above.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

79-4-605, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **79-4-605** is enacted to read:



28 79-4-605. San Rafael Swell included within state park system.

29 (1) As used in this section, "San Rafael Swell" means the area of land, approximately
30 11,000 acres, in Emery County, excluding a federal wilderness study area:

31 (a) south of Interstate 70 and bordered by the following federal wilderness study areas:

32 (i) San Rafael Reef;

33 (ii) Crack Canyon;

34 (iii) Muddy Creek; and

35 (iv) Devil's Canyon;

36 (b) north of Interstate 70 and bordered by the following federal wilderness study areas:

37 (i) Sid's Mountain; and

38 (ii) Mexican Mountain; and

39 (c) fully described by the map on file with the division.

40 (2) The division may:

41 (a) enter into an agreement for the use of the San Rafael Swell as a state park with:

42 (i) the United States Bureau of Land Management; and

43 (ii) the School and Institutional Trust Lands Administration; and

44 (b) receive donations of land or facilities at the San Rafael Swell for inclusion within
45 the state park.

46 (3) The San Rafael Swell, in whole or in part, shall be included within the state park
47 system once the division has entered into the agreements described in Subsection (2).

48 (4) In entering into the agreement described in Subsection (2)(a), the division:

49 (a) shall pursue a land transfer agreement with the United State Bureau of Land
50 Management;

51 (b) may, if a land transfer agreement is not possible, seek to purchase or lease the land
52 from the United States Bureau of Land Management through the Recreation and Public
53 Purposes Act, 43 U.S.C. 869 et seq.; and

54 (c) shall, subject to Subsection (5), finalize an agreement to receive land by transfer,
55 purchase, or lease, as described in Subsections (4)(a) and (b), if the resulting state park would
56 be financially self-sustaining.

57 (5) In determining whether the resulting state park would be financially self-sustaining
58 under Subsection (4)(c), the division may not consider one-time, up-front investments.

Legislative Review Note
as of 1-30-15 9:57 AM

Office of Legislative Research and General Counsel